

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF VIRGINIA
Richmond Division

In re:

LeClairRyan, PLLC,¹

Debtor

Case No.

19-34574-KRH

Chapter

7

**ORDER REJECTING EXECUTORY CONTRACT BY AND BETWEEN
LECLAIRRYAN, PLLC AND SUPER-SERVER LLC PURSUANT TO 11 U.S.C. § 365(a)**

This matter coming before the Court on the *Second Motion for Entry of Further Orders Extending the Chapter 7 Trustee's Time to Assume, Reject, and/or Assign Certain Executory Contracts and/or Leases of Personal Property Pursuant to 11 U.S.C. § 365(d)(1)*, ECF No. 262 (the "**Motion**"),² filed by Lynn L. Tavenner, trustee, not individually but solely in her capacity as the chapter 7 trustee (in such capacity, the "**Chapter 7 Trustee**" and/or "**Trustee**") of the bankruptcy estate of LeClairRyan PLLC, the above-captioned debtor the "**Debtor**"), and the informal response thereto received from Super-Server, LLC d/b/a Proxios ("**Proxios**"); and the Court having found that (a) the Court has jurisdiction over this matter pursuant to 28 U.S.C. §§ 157 and 1334, (b) this is a core proceeding pursuant to 28 U.S.C. § 157(b), (c) venue is proper before this Court pursuant to 28 U.S.C. §§ 1408 and 1409, and (d) the Trustee, in exercising her

¹ The principal address of the Debtor as of the petition date was 4405 Cox Road, Glen Allen, Virginia 23060, and the last four digits of the Debtor's federal tax identification number are 2451.

² Capitalized terms used but not otherwise defined herein shall have the meanings given to them in the Motion.

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Counsel for Lynn L. Tavenner, Chapter 7 Trustee

business judgment, has determined it is in the Estate's best interest to reject a certain Master Service Agreement dated November 10, 2017, as amended (the "**Proxios Agreement**"), between the Debtor and Proxios;

IT IS HEREBY ORDERED THAT:

1. Pursuant to § 365(a) of the Bankruptcy Code, the Proxios Agreement between the Debtor and Proxios is hereby REJECTED.

2. The Chapter 7 Trustee and Proxios are authorized and empowered to take all actions necessary to implement the relief granted in this Order.

3. To the extent Proxios desires to amend claim number 176 (the "**Proxios Proof of Claim**") filed on December 12, 2019, to include amounts allegedly due and owing as a part of the rejection of the Proxios Agreement, the same shall be done on or before 30 days from the entry of this Order.

4. Upon entry, the Clerk shall forthwith provide (by First Class mail, postage prepaid and/or electronic delivery) a copy of this Order to counsel for the Chapter 7 Trustee. The Chapter 7 Trustee shall promptly serve copies of this Order on Proxios and all parties requesting service of pleadings in this Case.

5. This Court shall retain exclusive jurisdiction over any and all matters arising from or related to the implementation, interpretation, or enforcement of this Order.

ENTERED: Feb 6 2020

/s/ Kevin R Huennekens

UNITED STATES BANKRUPTCY JUDGE

EOD: Feb 6 2020

I ask for this:

/s/ Paula S. Beran

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Local Rule 9022-1 Certification

I hereby certify that, pursuant to Local Rule 9022-1, the foregoing proposed *Order* has either been served upon and/or endorsed by all necessary parties.

/s/ Paula S. Beran

Counsel for Lynn L. Tavenner, Chapter 7 Trustee

Service List for Entered Order

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